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1714

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s) : Phillip B. Blankenship, Joseph Drbohlav, III,
Michael L. Hines
Serial No. : Not yet assigned 09/893,314
Filing Date : October 20, 2003
Title : A SYSTEM FOR REPAIRING DISTRESSED
ROADS THAT INCLUDES AN ASPHALT
INTERLAYER
Group/Art Unit : 1714 1762
Examiner : Peter A. Szekely Eric Fuller
Confirmation No. : Not yet assigned
Atty. Docket No. : 506422.0116

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

NO FEE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In accordance with 37 C.F.R. § 1.56 and § 1.97(b), the references listed below and on the attached Form PTO/SB/08A (Substitute for Form 1449A-B/PTO) are being brought to the attention of the Examiner for consideration in connection with the examination of the above-identified patent application. The present application is a divisional of prior application, Serial No. 09/893,314, filed June 27, 2001. The cited documents are already of record in the parent case, and therefore, copies are not being submitted with the present statement pursuant to 37 C.F.R. § 1.98(d). Submission of these references is not an admission that the references constitute prior art.

Certificate of Mailing Under 37 C.F.R. 1.8

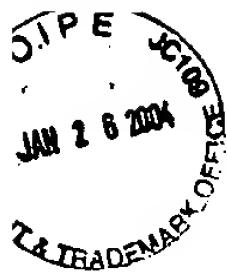
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to NO FEE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on:

Date: January 23, 2004

Signature: Ronni Bevan

Printed Name: Ronni Bevan

The Director is hereby authorized to charge any additional amount required, or credit any overpayment, to Deposit Account No. 19-4409.



U.S. PATENTS

Patent No.	Inventor(s)	Issue Date
3,891,585	McDonald	June 24, 1975
3,907,582	Walter	September 23, 1975
5,306,750	Goodrich et al.	April 26, 1994
5,445,473	Chaverot et al.	August 29, 1995
5,513,925	Dempsey et al.	May 7, 1996
6,089,783	Goacolou	July 18, 2000
6,248,396	Helf	June 19, 2001

FOREIGN PATENTS

Country	Patent No./Publication No.	Publication Date
None.		

OTHER REFERENCES

Request for Bid for Constructing or Improving, Missouri Highway and Transportation Commission, Jefferson City, Missouri, 1998.

Sand Anti-Fracture (SAF) Mixture Trial Handout, 1998.

Sand Anti-Fracture Layer "SAF" Handout, 1997.

Applicants respectfully request that these references be made of record in the above-identified application and considered by the Examiner during prosecution of the application.

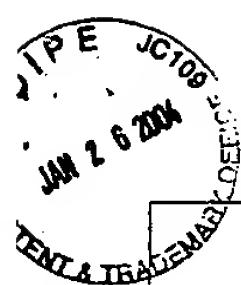
It is respectfully submitted that the present invention as claimed is patentable over the listed references.

This information disclosure statement is being filed within three months of the filing date of a national application other than a continued prosecution application under § 1.53(d) or before the mailing of a first Office Action on the merits. Accordingly, no fee is due.

Acknowledgment of receipt is respectfully requested.

Respectfully submitted,

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Substitute for Form 1449A/PTO
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STATEMENT BY APPLICANT**
(use as many sheets as necessary)

Sheet 1 of 1

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<p>Sheet 1 of 1</p>		<p>Application Number: 09/893,314</p>		
		<p>Filing Date: October 20, 2003</p>		
		<p>First Named Inventor: Phillip B. Blankenship</p>		
		<p>Group Art Unit: 1744 1762</p>		
		<p>Examiner Name: Peter A. Szekely <i>ERIC FULLER</i></p>		
		<p>Attorney Docket Number: 506422-0116</p>		

U. S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Unique citation designation number. ²See attached Kinds of U.S. Patent Documents. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

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<p>Substitute for Form 1449B/PTO (Modified)</p> <p>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</p> <p><i>(use as many sheets as necessary)</i></p>		<p>Complete if Known</p> <p>Application Number: 09/893,314</p> <p>Filing Date: October 20, 2003</p> <p>First Named Inventor: Phillip B. Blankenship</p> <p>Group Art Unit: 1714 1762</p> <p>Examiner Name: Peter A. Szekely <i>Eric Fetter</i></p> <p>Attorney Docket Number: 506422-0116</p>
Sheet	1	of 1

OTHER REFERENCES - NON PATENT LITERATURE DOCUMENTS AND INFORMATION

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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